

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Gernot Eckstein et al.

Application No.: 10/735,517

Confirmation No.: 1592

Filed: December 11, 2003

Art Unit: 2436

For: Preventing the unwanted external detection of
operations in digital integrated circuits

Examiner: C. Johnson

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Applicant hereby requests a refund of \$510.00 resulting from a second Notice of Appeal fee being charged incorrectly to Applicant's Representative's Deposit Account. For the second Notice of Appeal, Applicant is required to pay only the difference between the first and second Notice of Appeal fees. The detailed facts are as follows.

A first Notice of Appeal was filed by Applicant on November 13, 2007. The required Notice of Appeal fee of \$510.00 was made on this same date. An Appeal Brief was later filed on January 16, 2008. No final Board Decision was made in connection with this Appeal.

A second Notice of Appeal was filed by Applicant on March 2, 2009, after prosecution had been reopened by the Examiner. Under 37 C.F.R. § 41.20, the previously-paid appeal fees are applied to the new appeal. However, since the appeal fees have increased, Applicant is responsible for only the difference between the current fee and the amount previously paid. Applicants therefore calculated the Notice of Appeal fee due on March 2, 2009, to be the difference between the second Notice of Appeal Fee and the amount previously paid for the first Notice of Appeal fee, that is:

\$540.00 (second Notice of Appeal Fee on March 2, 2009)
- 510.00 (first Notice of Appeal Fee paid on November 13, 2007)
\$ 30.00 (Notice of Appeal Fee due March 2, 2009)

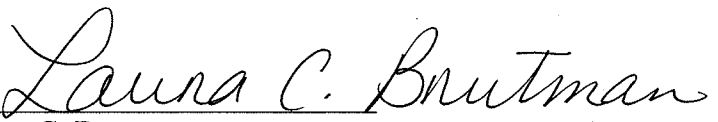
Applicant therefore requested the Patent Office to charge Applicant's Representative's Deposit Account in the amount of \$30.00.

On March 12, 2009, Applicant's Representative's Deposit Account was charged \$540.00 for a full second Notice of Appeal Fee, rather than the \$30.00 difference between the first and second Notice of Appeal fees.

Applicant therefore respectfully requests a credit in the amount of \$510.00, which is the difference between the \$540.00 charged for the full second Notice of Appeal fee and the \$30.00 amount that should have been charged. This refund can be made to either Applicant's Representative's American Express Credit Card Account No. 3794 6250 3461 001 or Deposit Account Number 50-2215.

Dated: May 11, 2009

Respectfully submitted,

By 

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